

1 HB495  
2 116067-3  
3 By Representative Holmes (Constitutional Amendment)  
4 RFD: Montgomery County Legislation  
5 First Read: 04-FEB-10

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ENROLLED, An Act,

Proposing an amendment to the Constitution of Alabama of 1901, to provide that the Montgomery County Revenue Commissioner may participate in the Employees' Retirement System in lieu of participating in a supernumerary program or system.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The following amendment to the Constitution of Alabama of 1901, is proposed and shall become valid as a part of the Constitution when all requirements of this act are fulfilled:

PROPOSED AMENDMENT

No elected or appointed Revenue Commissioner in Montgomery County may assume a supernumerary office after the effective date of this amendment. Any person who, on the effective date of this amendment, is entitled to participate in a supernumerary program may continue to participate in that supernumerary program, which shall include the assumption of a supernumerary office according to the terms and conditions of the law which established that supernumerary program. The Revenue Commissioner of Montgomery County may participate in the Employees' Retirement System of Alabama upon the same terms and conditions as may be specified by law for any other employee in the same retirement system. The Montgomery County

1 Revenue Commissioner holding office at the time of the  
 2 ratification of this amendment shall be eligible to purchase  
 3 service credit in the Employees' Retirement System for the  
 4 time the official has served in the current office; provided,  
 5 however, the official shall forego the assumption of a  
 6 supernumerary office. This amendment does not include a county  
 7 commissioner, a judge, district attorney, legislator, school  
 8 board member, or any official elected from a judicial circuit.

9 Section 2. An election upon the proposed amendment  
 10 shall be held in accordance with Amendment 555 to the  
 11 Constitution of Alabama of 1901, now appearing as Section  
 12 284.01 of the Official Recompilation of the Constitution of  
 13 Alabama of 1901, as amended, and the election laws of this  
 14 state.

15 Section 3. The appropriate election official shall  
 16 assign a ballot number for the proposed constitutional  
 17 amendment on the election ballot and shall set forth the  
 18 following description of the substance or subject matter of  
 19 the proposed constitutional amendment:

20 "Relating to Montgomery County, proposing an  
 21 amendment to the Constitution of Alabama of 1901, to provide  
 22 that the Montgomery County Revenue Commissioner may  
 23 participate in the Employees' Retirement System in lieu of  
 24 participating in a supernumerary program or system.

25 "Proposed by Act \_\_\_\_\_."

1                   This description shall be followed by the following  
2    language:  
3                   "Yes ( ) No ( )."

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 25-FEB-10.

Greg Pappas  
Clerk

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Senate

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13-APR-10

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Passed